

The Senate Transportation Committee offered the following substitute to SB 51:

A BILL TO BE ENTITLED
AN ACT

1 To amend Article 9 of Chapter 9 of Title 46 of the Official Code of Georgia Annotated,
2 relating to the Georgia Rail Passenger Authority, so as to allow for the indemnification of
3 private parties; to provide for other powers; to revise the composition of the membership of
4 the authority; to provide for related matters; to provide an effective date; to repeal conflicting
5 laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Article 9 of Chapter 9 of Title 46 of the Official Code of Georgia Annotated, relating to the
9 Georgia Rail Passenger Authority, is amended by revising paragraph (22) of Code Section
10 46-9-273, relating to the general powers of the authority, as follows:

11 ~~"(22) To do all things necessary, proper, or convenient to carry out the powers conferred~~
12 ~~by this article. To do any and all things necessary, desirable, convenient, or incidental~~
13 ~~for the accomplishment of the objectives of this chapter and to exercise any power~~
14 ~~usually possessed by private corporations performing similar functions which is not in~~
15 ~~conflict with the public purposes of the authority or the Constitution and laws of this~~
16 ~~state, including:~~

17 (A) The power to retain accounting and financial services;

18 (B) The power to purchase all kinds of insurance, including, without limitation,
19 insurance against tort liability and against risks of damage to property;

20 (C) The power to indemnify and hold harmless any parties contracting with the
21 authority or its agents from damage to persons or property; and

22 (D) The power to act as self-insurer with respect to any loss or liability and to create
23 insurance reserves;

24 Provided, however, that the exercise of such powers provided under this paragraph shall
25 be subject to the approval of the State Transportation Board."

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SECTION 2.

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Said article is further amended by revising subsection (a) of Code Section 46-9-274, relating to the membership of the authority, as follows:

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"(a) The authority shall be composed of seven members ~~appointed by the Governor. One member shall be appointed from and shall be a resident of each of the congressional districts and two members shall be appointed from the state at large.:~~ three members to be appointed by the Governor, two members to be appointed by the Lieutenant Governor, and two members to be appointed by the Speaker of the House of Representatives. All members shall be appointed for terms of four years and until their successors are appointed and qualified. ~~The Governor, in~~ In making appointments to the authority, ~~shall consider consideration shall be given to~~ obtaining reasonable representation thereon of persons from the tourism and hospitality industry, the manufacturing industry, the banking and finance industry, citizens and consumers, labor, and the transportation industry, but it is specifically provided that the appointments shall be at the discretion of the ~~Governor~~ appointing authorities. In the event of a vacancy on the authority, the ~~Governor~~ appropriate appointing authority shall fill such vacancy for the unexpired term."

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SECTION 3.

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This Act shall become effective on July 1, 2010.

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SECTION 4.

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All laws and parts of laws in conflict with this Act are repealed.